UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 30 2004

EX PARTE: MORIARTY
SERIAL NO.: 10/677,348
FILED: 10/01/03
TITLE: METHODS AND APPARATUSES FOR REMOVING THERMAL ENERGY FROM A NUCLEAR REACTOR

LICENSING & REVIEW

Receipt is acknowledged of the statement filed 05/25/04 under the provisions of:
___ Section 152 of the Atomic Energy Act, 42 U.S.C. 2182, as amended.
_X_ Section 305(c) of the National Aeronautics and Space Act, 42 U.S.C. 2457.

THE STATEMENT IS INSUFFICIENT SINCE:
___ It is not in the form of an oath or a declaration (as provided by 37 CFR 1.68).

___ It fails to set forth the "full facts" surrounding the making and conception of the invention as required by the Act. The full facts should include whether the invention was made and conceived during working hours of an employer's, or on the inventor's own time, using his/her employer's own funds, facilities, materials and services.

___ In addition to setting forth the full facts concerning the circumstances under which the invention was made, a general averment in accordance with the statutory requirements was not recited setting forth the contractual relationship (if any) with either DOE and/or NASA.

___ The section required the statement be executed by "applicant" and this is construed in accordance with patent statutes as meaning the person or persons who may apply for a patent. It is noted that this includes all joint inventors if the invention is joint, unless deceased, incompetent or unavailable within the meaning of 37 CFR 1.47. If a statement by someone in place of the unavailable inventor(s) is to be accepted, the same proofs, information and assignment called for by 37 CFR 1.47 (b) should be furnished, including the inventor's last known address. This has not been done.

_X__ Other: STATEMENT SUBMITTED FOR NASA RATHER THAN DOE. PLEASE SUBMIT SUPPLEMENTAL STATEMENT.

This application will be reached in about thirty (30) days for consideration of the need to call it to the attention of the Commissioner for the purpose of the formally requesting a statement under said section, unless a supplemental statement is voluntarily filed in the meantime. Should it be necessary to issue a formal requirement for the statement, no provision is found for extension of the time limit of 30 days after the requirement is made.

Licensing and Review
Special Laws Administration Group
(703) 305-0241
06/30/04

PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE ATTENTION OF LICENSING AND REVIEW